

REMARKS

The Office Action dated February 17, 2004 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1 - 17 have been amended. No new matter has been added, and no new issues are raised which require further consideration and/or search. Claims 1 - 15 have been allowed. Claims 16 and 17 are submitted for consideration.

As a preliminary matter, Applicant wishes to thank the Examiner for allowing claims 1-15.

Claims 16-17 were rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,128,490 to Shaheen et al. The rejection is traversed as being based on a reference that neither teaches nor suggests the novel combination of features clearly recited in amended independent claim 16. Claim 16, upon which claim 17 depends, recites a base transceiver station comprising channels for at least one cell. One of the channels is a cell-specific broadcast channel for transmitting general information to mobile stations in the cell. The base transceiver station is arranged to transmit at least one service-on-demand over one of its channels wherein the channel is other than the cell-specific broadcast channel for general information. The service-on-demand is available on the other channel to all mobile stations located in the cell.

As will be discussed below, the cited prior art reference of Shaheen et al. fails to disclose or suggest the elements of presently pending claims 16 and 17.

Shaheen et al. teaches a wireless communication system which includes a mobile switching center and base stations that provide wireless service to subscribing units. The base stations and the mobile switching center include broadcast message units that work in combination to broadcast messages within a service area. Col. 5, lines 1-13. The broadcast messages are typically broadcast on a control channel. Each base station may transmit a unique broadcast message relating information specific to the respective base station or a common broadcast message. Alternatively one group of base stations may broadcast a first broadcast message and another group of base stations may broadcast a second broadcast message. Col. 5, lines 41-54. The broadcast messages include information relating to the manner in which the subscribing units operate within the service area. Col. 5, lines 14-22. Specifically, the broadcast messages may include frequency band information, channel information, protocol information and such other information as is helpful in managing communications within the service area. Col. 6, lines 1-14. The broadcast message may include additional information used in selecting additional operating parameters. Col. 6, lines 15-24. The broadcast message may also include preference information and system operator information. The preference information may reveal an operating preference to subscribing units in establishing communication with a particular frequency band. The system operator information may include additional information, such as stock quotations, sports news, traffic information, weather information and various other pieces of information. The system operator information may also indicate charges that will be made for accessing the base station

and the subscribing unit may choose operation based on the quoted rate. Col. 7, line 60 – Col. 8, line 24.

Applicant submits that Shaheen et al. does not teach or suggest the features now clearly recited in claims 16 and 17. Claim 16 as amended, in part, recites the base transceiver station being arranged to transmit at least one service-on-demand over one of its channels, the channel being other than the cell-specific broadcast channel for general information, the service-on-demand being available on the other channel to all mobile stations located in the cell. As explained on page 1, lines 6-13 of the present invention, a service-on-demand is a broadcast service which may be used by a user when desired, for example video-on-demand. Such service-on-demand cannot be broadcast on a cell-specific channel which is used for broadcasting general information to all or predetermined subscribers in a cell. Shaheen et al. teaches that the base station may broadcast additional information, such as preference information and system operator information on a cell-specific broadcast channel. However, Shaheen et al. does not teach or suggest broadcasting service-on-demand on another channel which is different from the cell-specific channel for broadcasting general information, wherein the service-on-demand is available to all mobile station. In fact there is no discussion or suggestion in Shaheen et al. of service-on-demand and how it should be provided to appropriate subscribers. As such, Shaheen et al. fails to teach or suggest the base transceiver station being arranged to transmit at least one service-on-demand over one of its channels, the channel being other than the cell-specific broadcast channel for general information, the

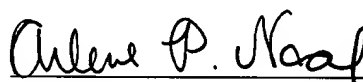
service-on-demand being available on said other channel to all mobile stations located in the cell as recited in claim 16. Therefore, Applicant respectfully asserts that the rejection under 35 U.S.C. §102(e) should be withdrawn because Shaheen et al. does not teach or suggest each feature of claim 16 and hence, dependent claim 17 thereon.

As noted previously, claims 16-17 recite subject matter which is neither disclosed nor suggested in the prior art reference cited in the Office Action. It is therefore respectfully requested that claims 16-17 be allowed and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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